

## REMARKS

The claims have been amended to correct typographical errors and misspellings.

### **Response to Restriction/Election Requirement**

Applicants provisionally elect the invention of **Group III**, (Claims 1-6, 8, 15-31, 33 and 40-49), drawn to a cell population cultured ex vivo in a culture medium, wherein said cells are committed progenitor cells and non-differentiated, classified in Class 435, subclasses 325, 375, 405. Applicants reserve the right to prosecute the non-elected claims in one or more continuing applications and also respectfully reserve the right to traverse the Examiner's requirement of a restriction in a future response to the U.S. Patent and Trademark Office

The Restriction Requirement also requires the election of a singled disclosed species pursuant to 35 U.S.C. § 121. In accordance with the Species Election Requirement, Applicants provisionally elect as follows:

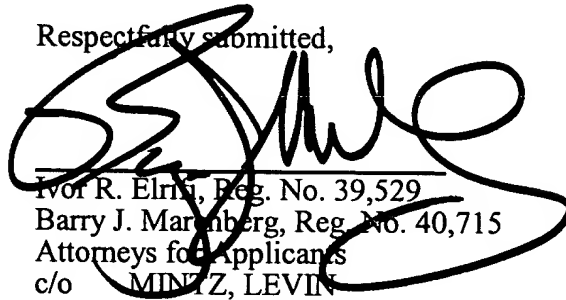
- A. A specific source of cells, recited in claims 8 and 33: **Neonatal Umbilical Cord Blood**;
- B. (i) specific seeded cells: **hematopoietic cells**;
- (ii) specific transition metal chelator: **tetraethylenepentamine (TEPA)**;
- (iii) specific early acting cytokine: **FLT3 Ligand**;
- (iv) specific late acting cytokine: **granulocyte colony stimulating factor**.

Claims 1-6, 8, 15-31, 33 and 40-49 are readable on the elected species. Applicants respectfully reserve the right to prosecute the non-elected claims and species in a continuation or divisional application and also respectfully reserve the right to traverse the Examiner's requirement of a restriction/election in a future response to the U.S. Patent and Trademark Office. Furthermore, upon allowance of a generic claim, Applicants understand that they may be entitled to claim additional non-elected species which fully embrace the allowed generic claim.

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U.S.S.N.: 09/986,897

Should there be any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



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April 11, 2003

TRA 1780447v1